

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 2040

2015 Carryover

(BY DELEGATE GUTHRIE AND HAMRICK)

[Introduced January 13, 2016; referred to the
Committee on the Judiciary.]

1 A BILL to amend and reenact §6-5-5 of the Code of West Virginia, 1931, as amended, relating to
 2 disqualification for public office by conviction of certain offenses; and adding domestic
 3 violence and fraud to the list of crimes for which conviction would bar a person from holding
 4 public office.

Be it enacted by the Legislature of West Virginia:

1 That §6-5-5 of the Code of West Virginia, 1931, as amended, be amended and
 2 reenacted to read as follows :

**ARTICLE 5. TERMS OF OFFICE; MATTERS AFFECTING THE RIGHT TO HOLD
 OFFICE.**

**§6-5-5. Disqualification by conviction of treason, felony, domestic violence, fraud or
 bribery.**

1 No person convicted of treason, felony, domestic violence, fraud, or bribery in any election,
 2 before any court in or out of this state, shall, while such conviction remains unreversed, be elected
 3 or appointed to any office under the laws of this state; and, if any person, while holding such
 4 office, be so convicted, the office shall be thereby vacated.

NOTE: The purpose of this bill is to include crimes of domestic violence and fraud in the list of offenses for which a conviction will disqualify an official from serving in, running for, or being elected to, public office.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.